

Dr. SHERLOCK's
Two KINGS
OF
BRAINFORD

Brought upon the Stage.

IN A
Congratulatory Letter
TO

Mr. J O H N S O N.

Occasioned by

The *Doctor's* Vindication of Himself,
in Taking the Oath of Allegiance to Their
Majesties after the Time, indulg'd by the
Law, was expired.

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Dr. SHERLOCK's

Two Kings

O F

BRAINFORD

Brought upon the STAGE.

S I R,

THis is to congratulate your Victory over that *Passive Obedience* Doctrine, the Chief *Confessor* of which is far from imitating you; who were a real *Martyr* for that Truth, which is opposite to it.

The Great *Champions* on the other side, were Dean *Hicks* and Dr. *Sherlock*; these gave the word to the Party; the first would prove it by Man's Law, the last by God's; and thus the Laws both Humane and Divine, were press'd into its Service.

Dean *Hicks* his last Effort for it was, in Signing or Dictating the Weak Dying Declaration of the late Bishop of *Chichester*, who had suck'd it in with his Milk, and might be thought to dye with a Surfeit of it. But the *Dean* finds yet no occasion to renounce any part of that Doctrine, the Defence of which, some say, procured his Deanery. According to his *Golden Book*, God himself had fix'd his Allegiance unalterably to the *Late King*, as long as he should live; and to the *Sham Prince* after him: unless his Spurious Birth be fully

Vid. Dr. H.
his *Jovian*.

proved!

Preface to
Jov. p. 56.

proved. For the *Dean* had taught, that God had given the *Imperial Crown* of England for an *inalienable Inheritance to the Royal Family*, that is, as he immediately explains it, *to the next Heir upon the Line: to exclude whom or any Person of the Royal Family, from the Absolute Right or Birth-right which God alone had given him*, he asserted to be to oppose the *Will of God*: nor does he seem yet, to have thought of our *Doctor's* Distinctions for Preserving and maintaining the Right of such an one, and yet obeying another, as having *Gods Authority*: Wherein the Doctor sets up Two Kings, one of *Right*, the other by *Providence*. But upon this Point, the two Brotherly Champions are divided, and leave you Master of the Field, while they engage against each other. That *Dr. Sherlock* gives up the Point of Succession, and says, what amounts to a total yielding the Cause to you, may appear from the most cursory Consideration of his Book, and tho I

Pag. 3.

must confess he has a great Art in *Startling* his Reader, and helping himself off from Assertions, which at first look very Gross; yet I cannot but think, that in the main he leaves either himself, or his Beloved Doctrine, without Excuse: and where his present Actions oblige him to depart from it, he shews it is like a parting *with a right hand, or right Eye*; and therein, indeed, does more for the Government than other Men; and endures little less than Martyrdom. I need not profess to you, that I have no disesteem for the Man, but his Opinions, in relation to

Vid. Anonymus his Letters to him about Church Communion.

Civil and Ecclesiastical Government, are, in my apprehension, so Derogatory from the Goodness of God, so uncharitable to Men, and destructive to Humane Societies; that I long since thought my self bound publicly to avow my dislike of them; tho the Government, and consequently, in his Sense, *Gods Authority* were on his side; as I am sure the Government is now on mine, it being founded upon Legal Principles, as directly contrary to his, as he often is to himself.

I maintain, by Law, that their Majesties are *rightful* King and Queen, and came by their Power by *due* means; which is impossible to be proved upon his Grounds.

The Absurdity, and perhaps, Blasphemy of his, you can best set in their true Light, and expose to the just Abhorrence of Mankind; and I have already done it by way of Anticipation.

But tho you have gained the Victory over his Opinions about Civil Government, and every Lash you bore for the sake of our English Liberties, shall rise about you in Circles of Glory; yet such

such Men will be likely to reap the Spoil; till they who maintain the *Right* to be in King *James*, shall, as the Law declares them, if they act accordingly, be adjudged Traytors to *their Majesties*: and till the Principles of *Hobbs* and *Matchiavel* become as Odious, as the *Doctrine* of our Pretenders to the *Spirit of the Church of England*, was in the time of King *James*. When that *Sovereign Power*, which was taught to be inseparable from his Person, and could make Repeal, and Dissence with Laws, touch'd but the Hem of the Canonical Garments; then the Dying Voice of a Meek *Moses*, and the louder Cry of that Blood, which was Sacrificed to their Idol, could not be heard for the Jangling of *Aaron's Bells*. Then they who had been transported with the Fallacious Promise of Maintaining the Church of *England*, began to bethink themselves that there was not the least word of Religion: and what comfort could it be to them, to have *Diana's* Greatness out of Danger, when others were likely to enjoy the Profit of the Shrines? Till then the King's Most Illegal Acts had the Authority of *Sovereign Power*; that is, as the Doctor tells us, *Gods Authority*: and it would be hard if that Authority could not make them Legal.

Vid. Dr. H's
Sermon.
Vid. Dr. Sher-
lock's Case
of resist-
ance.

They thought they had this fast on their side, and not foreseeing any Probability that there would be a Flaw in the Succession, till this Generation should pass away; by making that Sacred and Inviolable, they hop'd to secure Reverence and Authority to themselves, who had taught the Oracles to *Philippize*, and speak as the Present Powers would have them.

On the other side, King *James* and his Sottish Priests, thought those Warm Men of our Clergy, believed their own Doctrine, and would inculcate it to their People, however even the Clergy themselves should be used: And finding the Lay-Herd, like the Tribe of *Issachar*, imagined that the *Levites*, who had taught them to crouch under their Burden, would have had more Modesty and Sense of Shame, than to be Clamorous.

But certain it is, how much soever they inveigh'd against your true Representation of the Behaviour of the Primitive Christians towards *Julian*; they out-went the Pattern, and were beholden to you for their Justification.

Far be it from me, in the least to reflect upon the Body of the English Clergy: their Learning the World Admires, their Prayers at least, called for their Majesties; and the

Vid. Pref.
P. 4.

the most of them Swore Allegiance to them as soon as the Law required it; and, it is to be hop'd, with Sincerity.

Yet if they were means of delaying our Settlement, or of undermining it, I should not think my self Guilty of *Profaneness* or *Infidelity* in telling them, they would thereby *Blacken* themselves, and Obstruct the Propagation of that Religion which by Profession they should promote: The

Vid. the Doctor's Pref.

P. 4.

Blemishes of the Guilty ought by no means to be conceal'd, if it were for no other reason than to advance the Honour of the rest; yet I think there is a much better ground for exposing them, which is, that they Entitling Religion to their Quarrels and Absurd Errors, thereby expose Religion its self, till their Chaff be separated.

The Jewish Clergy were as Sacred in their Persons, as pompous in their Ceremonies, and more Absolute in their Authority: and yet those Acts of a Convocation, which are Trump't up, as a new Revelation, to Support a Battled Doctrine, seem to think matter of Instruction contained in the Description of the Miseries which befell the *Jews*, and how Religion went in those days, when the Priests had gotten the Reins in their own hands.

Bishop Overall's Convocation Book,
p. 72.

How far our Clergy did thrust themselves into the State in the time of the two *Charles's*, and what were the Effects of their Interposition, I shall not now enquire; 'tis certain the Romish Priests drove their *Votary* to a Fatal Precipice: and some of our *Church-men*, but many of their most Zealous Disciples, to their Praise be it spoken, invited our *Deliverer*, and, in appearance, entirely clos'd with the Deliverance. till, as it was upon the Discovery of the Popish Plot, they found the Number and Sincerity of others more remarkable; and thinking their handful would be lost in the Croud, they betook themselves to another Multitude, the Criminals in former Reigns. And, as Evil Ministers could not be called to account, but the Throne was thought to be Shaken, because of their running behind it: no Man could be in danger of being made an Example for Subverting the Laws, but he found a Sanctuary in the *Church*, or a Protection in the very Name of it. Though the Clemency of the Government freed them from their just Fears, they soon shewed that those Methods were so far from reclaiming them, that they took Encouragement to divide the *State*, and make a *Schism* in the *Church*, even in their own Sense,

Vid. Mr. Dodwell's one Altar, one Priesthood.

Sense, setting up *Altar against Altar*: The *Separate Church* had its peculiar Forms of Prayer, and the Breach was every day growing wider and wider, as the Designs of *France* hastned towards a Birth: How many stood on Tip-toes, expecting a friendly Descent of *French Dragoons*, and other *Romish Missionaries*!

But let me tell you, *King William's* Sword carries more Conviction with it, than all your dint of Argument; his Passage over the *Boyne* was not more amazing to the World, than it was stupifying to them; its *passive Waters*, like those of *Lethe*, made them forget their former Thoughts. Had he perish'd there, he had been damn'd from *Chair and Pulpit*, as an ambitious Usurper, and they only not call him so now.

They thank God that they had no share in what they account a Sin in him, and in all them whom After-Ages shall celebrate, for freeing themselves from those Incantations, which would have kept them fast bound from ministering to that *Providence*, which loudly call'd for their Service.

Vid. Dr. S's
Thanksgiving
Sermon which
he is desired to
Print.

Now *Providence* has declar'd for *Their Majesties*, and God is with them, if the Doctor believes himself; yet he has found means, if *Providence* should change its Course (to the Tryal of which he too plainly invites the late King) to recommend himself to his good Graces: as his not being forward to comply with the Revolution; and when he did, doing it upon such Principles as by no means justify it.

Of all the Passages which make for the late King, the following is not the least worthy of regard.

The Providence of God, says the Doctor, *removes Kings and sets up Kings, but alters no Legal Rights, nor forbids those who are dispossessed of them, to recover their Right when they can, &c.* A legal and successive Right is the ordinary way whereby the *Providence of God* advances Princes to any hereditary Throne. And this bars all other humane Claims; but yet God may give the Throne to another if he pleases, and this does not destroy the legal Right of the dispossessed Prince, nor hinder him from claiming it when he finds his Opportunity. In which,

1. He is inconsistent with himself.

2. He makes nothing of God's Authority.

1. The Law, says he, looks upon the Crown as hereditary, P. 56. and the Change of the Person or Royal Family does not make the Crown cease to be hereditary; and therefore whoever has Possession of the Crown has an hereditary Crown; and leaves it to his Heirs, as long

as they can keep it : as is plain from the Example of the three Henries who succeeded each other.

Here he makes the Fact to argue a Right; and whoever has a settled Possession of the Crown, has, according to him, an *hereditary Crown* in the Eye of the Law, and *leaves* it to *his Heirs*, which must be meant of a legal Right of Succession. The Instance he gives, is of them who came not to the Possession of the Crown as right Heirs, upon the suppos'd fundamental Settlement; and is a manifest departure from his Assertion, That such a Possession *alters no legal Right*: unless he will have it, that two may have, not only different Titles to the same Crown, the one by *legal Right*, the other by *Providence*; but that both may have real *legal Right* upon different Titles: which, indeed, how great soever the Inconsistency be, he plainly does; for the dispossessed Prince has, with him, a legal Right unalter'd: and yet he yields the other has a legal Right according to the Law of this *hereditary Monarchy*, which will evidently appear, if we consider that this odd Notion of Hereditary Monarchy was fram'd to avoid the force of an Objection, That *the Law makes it Treason to kill the King's eldest Son; as well*

as to kill the King: and therefore if it should relate to every
Pag. 56. King in Possession, might be a means of securing the Crown to an Usurper; who, as is said by the Objector, *has no Right himself*, and therefore his Heirs have no Right to Succession.

He answers by that new Conceit of his own, whereby he will have it, That the Possessor of a Crown, without any express or implied Consent of the Subjects, may *by Law* leave this to his Heirs; what is added, *as long as they can keep it*, does not diminish this *legal Right*, while *they keep it*.

If therefore, during such Possession the ejected Prince, or his Heir, should with Arms oppose him that is invested with the Power, the Doctor must not deny, that he would fight against one, who has the *Law*, and *God's Authority*, on his side.

Which leads me to prove, that

2. He makes nothing of God's Authority, either in relation to Princes, or to Subjects; by admitting, That tho' a Prince is plac'd and settled in the Throne by *God* himself; yet he who had the Right before that Settlement may still fight for it.

Obj. If it be said that the Subject-matter confines his Position concerning God's Authority tho' spoken absolutely, to the Duty of Subjects, who are by *God* himself discharged from their Allegiance, but concerns not the dispossessed, or any foreign Prince.

Ans.

Ans. 1. Then at least this shews, That a Prince in Possession has not *God's Authority* absolutely, for that is to be resisted by no Person whatsoever.

2. But more particularly, Admit every Act done by the Possessor towards a Settlement were sinful, yet as soon as, and for the Time that he is seised, if the Doctor stand to his own Notion, the Prince who usurp'd upon the other has God's Authority of his immediate Gift: *God, the Sovereign Lord of all things, Pag. 15: did set him up without regard to Law or legal Right: nor does it, with the Doctor, make any difference in this case to distinguish between what God permits and what he does; the Event Pag. 12. is ordered by God: and the Scripture, he says, expressly tells Pag. 34. us, that Kingdoms are disposed by God.*

If therefore the Kingdom be taken from the ejected Prince, and given to another by God himself authoritatively, not barely by permission, (and surely all his Acts must have Authority) 1. Does not the dispossessed Prince, in fighting for it, deny the Authority and Force of God's Gift? 2. Does not God himself warrant him that is in Possession to defend his Gift? or, 3. Shall it be said agreeably to the Doctor himself, that God design'd to take it away again, till, by restoring the Power to the other, he has given him the Stamp or Sign of his Authority.

Till the Doctor answer these Questions with some Consistency, it may well be held, that the Attempt for a Restoration cannot be justified till Success; and by consequence no more than any Usurpation; nay, here is an Usurpation upon God's Authority, and Legal Authority, the Doctor tells us, is but Man's. *Pag. 25.* But if God's Authority is no Reason why a dispossessed Prince may not strive to regain the Possession; how can that be a reason, why those who live within that Kingdom, and have never bound themselves by Oath to the Possessor, or taken benefit of his Protection, and had sworn to maintain the others Rights; may not, when they can, put themselves under their former Prince, or any other to whom he will resign his Pretensions.

If God's Authority in giving the Kingdom may be oppos'd by the ejected Prince, it may be thought a much stronger Case for the Non-swearing Multitude; because God had never decided the Chance against them directly, as he had done against the Prince: however, there would be this only Difference that the People resisted *God's Authority over them, the Prince God's Authority against him.*

3. If God has taken the Kingdom from the dispossessed Prince, he becomes but a *private Person.*

Besides, the Subjects being oblig'd to obey *God's Authority* with the other, how can the *Right of Government* be where it is not the Subjects Duty to obey, if not actually, yet when
Page 14. there is opportunity? But while the Possessor is settled, the Doctor owns, that he alone has *God's Authority* to govern them, and God requires their Obedience.

Wherefore it can never be lawful for the Prince out of Possession to attempt a Recovery of it, till the Subjects are discharg'd from their Obedience to the other; so that the Subjects may fight against the Possessor of the Crown as well, and as soon, as the former King.

4. If a foreign Prince should, without receiving any Injury, or being invited by them that have, be at liberty to follow the Temptation of Ambition; tho another is, by God himself, appointed and settled King within such a particular Dominion; would not this be contrary to *God's Authority*? nay, if Injury should warrant any other Prince not only to damnify this Prince and his Subjects in proportion to the Injury received, but to strive for the Crown, when he has a fair Game for it; may not Subjects, in the like Circumstances as well shake off *God's Authority*, as the other go about to unsettle and dislodge it, and make himself King, where God had appointed an other to be his Vicegerent?

5. If the dispossessed Prince, or any other, may fight against *God's Authority*, where it is settled without regard to another Prince's Right; let the Doctor, if he can, assign a Reason why the Subject, unless humane Law otherwise provide, may

Case of Allegiance, page 2.

stitution gave

Vid. pag. 9. The Submission of the Prince indeed may be thought necessary to transfer a legal Right.

not fight against the *same Authority*, when exercised *without any regard to Laws*? or when the Prince assumes an absolute Power, where the Constitution but a limited one. The most probable Account why a Prince may fight after running away is, that he never yielded, or promised not to try another *Chance* or more favourable Providence: and the same holds for the Subject, who has no way, in Person, or by his Representatives, consented to that Power which the Prince assumes: nay, this is stronger on the Subjects side; for till such Consent, the Prince is not possessed of an absolute Power, tho

God has given him the other's Crown.

In short, the Doctor owning that a Prince who came to a Crown by undue means, has *God's Authority* when he is settled, and yet
 that

that the Prince rejected by God, may fight against his Authority, whenever he has an inviting Opportunity, does, as Cicero says of the *Epicureans*, "in Name place God in the Government, but in Reality exclude him." *Nomine ponere re tollere Deos.*

Since the Doctor seems to look upon himself as of a Nature superior to other Men, at least, *His Thoughts are not as their Thoughts*; I shall not presume to judge of them otherwise, than as he explains or hints them, in justifying in the lump all that *ever he taught*, that is not here particularly retracted. *Preface, p. penult.*

This I conceive may be my Warrant for drawing together a Scheme of his Book into a Speech to the old *Passive Obedience Men*, and all others who may stand at gaze.

Gentlemen,

"Tho I was long since satisfied that our Religion, *Vid. pag. 50.*
 "Laws, and Liberties, could not, without a Miracle, be preserved, but by this Government, and
 "that the Return of the late King, after his resigning *The Words in Italick are his own.*
 "himself into the Hands, as well as Conduct, of the
 "French King, must have involved the Nation in un- *Vid. pag. 50.*
 "speakable Calamities; yet, as much as the Authority of my Example could prevail, I strengthened the hands of
 "the Enemies to the Peace of our Israel: but having
 "forfeited my *Preferments*, by not giving that Assurance *Pref. pag. 1.*
 "which the Law required, of being True to their
 "present Majesties, *it is the most probable Conjecture, that I acted very honestly and sincerely*; and that I never thought there was any
 "possibility of King James his "Return, to reward my Loyalty to
 "him *without Reserve.*

"I shall fairly represent my Thoughts about this matter, and *Page 66.*
 "shall take all due care not to impose upon my self, nor others, by
 "some little Fallacies. To speak plainly, This being an hereditary Monarchy, I thought the present Settlement an Usurpation, and that
 "Usurpations are not to be obeyed. I think it an Usurpation still,
 "but find we should be ruined if we might not obey Usurpers; I except the *Rump Parliament*, and all Enemies to the Church of England.
 "After I had heartily prayed that I might not forfeit the Exercise *Pref. p. 3.*
 "of my Ministry for a meer Mistake, and continued to pray
 "that I might not forfeit after I had forfeited, and yet exercis'd it after
 "the Forfeiture; at last I found out two Expedients for the Monarchy.
 "1. That every one who could catch it had an hereditary Mo-

narchy ; for some Usurpers have left it to their Heirs: 2. That whatever the Constitution may be, it is but humane, and must yield to the divine Law of Providence.

" This seem'd to be *new* and *singular*, and therefore I suspected
 " the Thought or Inspiration, call it which you please, or at least
 " feared it would never pass for currant Doctrine, unless I could
 " get it to be stamp'd with Church Authority. This I was the
 " more puzzled to do, because I found our Homilies to be very stiff
 " for adhering to a *Natural Prince*. But would you think it, that
 " very Declaration of our Church, which the Conclave at *Lambeth*
 " publish'd, you may be sure not without consulting me, to justifi-
 " fie not Swearing Allegiance to their Majesties, *confirm'd my former*
 " *Notions, and suggested some new Thoughts to me, which removed*
 " *those Difficulties which I could not before conquer.*

" That taught me to obey the Power which is uppermost, tho the
 " Form of Government be *degenerate*. Call it *Rump*,
 " or what you will. That taught me to pray for King
 " William and Queen Mary by Name, according to the
 " *Apostle's Directions to pray for all that are in Authority.*

" And this I did before I own'd that they were the Power which
 " God had ordained ; but now I thank God I have received that Sa-
 " tisfaction which I desired, from these self-evident Princi-
 " ples, tho they were long hid from my eyes.

" 1. That Allegiance is due, not for the sake of Legal Right,
 " but Government ; that is, not upon the account of
 " Right, but of Force ; when those who will not sub-
 " mit, may be crush'd at the pleasure of the Prince in
 " Possession.

" 2. Allegiance is due not to bare Legal Right, but to the
 " Authority of God : " That is, not confin'd within Legal
 " Bounds, but is due to Gods Authority, to which no-
 " thing can give Bounds : Or if you will have it in
 " other words, to a Power Independent on Laws.

" 3. God, when he sees fit, sets up Kings without any regard to Legal
 " Right, or Humane Laws.

" 4. Kings, thus set up by God, are invest'd with Gods
 " Authority: And that you may not think that I mean,
 " that only they that are set up by God, without re-
 " gard to Right and Laws, have a Power without Limitation, you
 " must consider, that Allegiance is due to Gods unlimited Autho-
 " rity

Case of Allegi-
 ance page 4.
 Pref. page 2.

Page 2.

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Page 2.

Case of Re-
 sisl. P. 197.

Page 3.

" rity in all Princes whatever, for their very Persons
 " are the *Higher Powers*, and Authority is *not in Laws*,
but in Persons; " or rather as the Powers are Persons,
 " and Persons Powers; it is not in Law, but in
 " Power.

Case of Re-
sistance.

Pag. 13.

Laws were
never called
the Higher

Powers' neither in Sacred nor Profane Writers, 'Exila, in the New Testament
always signifies the Authority of a Person. ibid. p. 194.

" These are *Principles* upon which I can Swear Allegiance to Turk
 " or *Teckelej*; or what is worse, to a *Rump Parliament*,
 " or Protestant *Rabble*, if they get the Power into their *Pag. 50.*
 " Hands, and are not likely to lose it till I might
 " Starve.

" Say not this is *Hobbsism*. Indeed it Entitles our *Pag. 15.*

" Gowin to the Favour of all Governments, better
 " than *Hobbsism* does. Mine are the only Principles which *Pag. 43.*

can make Government easie both to Prince and People in
all Revolutions: " For after any Prince had lost his Crown, either
 " because his Subjects would not assist him, or resisted his Exercise
 " of that Absolute Authority which God gave; no Prince would
 " accept the Government, but the People must be always in a
 " State of Confusion, unless Princes were assured that the Doctrine
 " of Passive Obedience was believed, as part of Gods Law.

" Besides, Mr. *Hobbs* taught the Absolute Power of all Princes,
 " only as a *Philosopher*, upon Principles of meer Reason; but we, by
 " adding the Authority of Scripture, are sure of as profitable an
 " Office in the State, as the Keepers of the Sibylline Leaves had
 " among the *Romans*, by always finding a Prophecy to serve the
 " Exigencies of State. But we are not only Keepers, but Inter-
 " preters of the Divine Law, and the full power of declaring the
 " Sense of it is with our *Convocation*, whether the King Ratifies
 " its Acts or no; as the Legislative Power is with the King: yet,
 " as Bishop *Sanderfon* long since shewed, the King
 " is pleased not to make a Law without the Consent
 " of the People; nor the Clergy to publish Canons
 " without consent of the King. But King *James* the
 " First, not having consented to the Publication of
 " these Canons, which seem design'd to quiet the

Vid. Sand. de
obligatione
Conscientiæ.
p. 189, 203,
209.

" Dispute

Vid. The question upon his Title, in the Fundamental Constitution of the English Government, Ch. 9. The Opinion of two Parliaments, 25 & 28 H. 8. and the Common Law, in relation to Foreigners.

* *Bishop Overall's Convocation-book, Canon 28.*

" Dispute about his Title; *James the Second*
 " being gone; and no King here, that we would
 " own; then was a proper time for the Church
 " to exert its full Authority: especially since it
 " derives the Power of all Princes from an Ab-
 " solute Power in the First Father; and therein
 " shews, that the late King exercised no Power,
 " but what he had of Right, and there is one
 " * Canon against Invasion by any *Bordering*
 " *Prince*, which we thought a direct Parallel to
 " to the present Case.

" How much soever that Convocation laboured to ingratiate
 " themselves with the then Possessor of the Crown, they took
 " care to have the Favour of all others, who should once come to
 " be Settled; and always to be of the strongest Side.

" But whereas *Mr. Hobbs* makes Power, and nothing
 " else, to give Right to Dominion, we who are Gods
 " Ambassadors, take care to have a share secured
 " to God, even in Authorizing those Revolutions which are
 " brought about by the Sins of Men. *Government, we*

" say, is founded in Right; God is the Natural Lord of
 " the World, and whoever has the Power, has a cer-
 " tain Sign to us, that God placed him in it; however the Right to
 " the Crown is so Sacred, that God himself cannot alter it, with-
 " out a miraculous Interposition: For that Providence

" which removes and sets up Kings, does not; tho God

" gives the Man in Possession the true and right-
 " ful King. And indeed, notwithstanding Gods setting up a
 " King, and making him Rightful, as far as his Authority can, the

" measures of Obedience are Doubtful, there are diffe-

" rent degrees of Settlement and Submission, and the Con-
 " vocation Book leaves it a very great question, Whe-
 " ther Allegiance can be due to an Usurper, while the right Heir
 " lives.

" I should not tell any but Friends, the Art I have used about
 " the Story of *Jaddus* the High Priest, whose Scruple against
 " taking an Oath to *Alexander*, during *Darius* his Life, is the Founda-
 " tion

" dation of a Canon, wherein the Church declares,
 " If any Man affirm, that Jaddus, having Sworn Alle- Canon 30.
 " giance to Darius, might have lawfully born Arms
 " against him; he doth greatly Err. I know, that if I had taken
 " notice of this part of the Canon, it would have seem'd a very
 " Foreign Interpretation, to say, The meaning was no
 " more than this, that he having Sworn Allegiance to Pag. 8.
 " Darius, could not make a voluntary Dedition of himself
 " to Alexander. If this Art of mine should be publish'd in
 " the Streets of Gath, some Barbarous Philistines
 " would be ready, with rude Clamours, and un- Vid. Pref. p 1.
 " christian Censures, to say, That I used the Ca-
 " nons, as I did Bracton; whom with a curious Vid. Case of Re-
 " piecing together the beginning and end of a sistance, p 196.
 " Paragraph, I brought over cleaverly to my side; Bracton Lex fa-
 " after the Rogue had said in the middle, That the cit Regem: at-
 " King receives his Dominion and Power from the tribuat ergo Rex
 " Law. Legi, quod Lex
attribuit ei, viz.
Dominacionem

& potestatem; non est etenim Rex ubi dominatur voluntas, & non Lex.

" But not a word more of this: and take a short safe Rule with
 " you. Never Resist when you are like to be Crush'd for it; and
 " not to do your Legal Prince any Service. Be not righteous over
 " much, why should ye destroy your selves? Ye may be preserved for
 " Good Times: should your Legal Prince Land with an Army;
 " then your Oaths of Allegiance may equally Ballance on both
 " sides, and you may lye still till Providence has declared it self;
 " or take that side which has most Indications of its Favour.

In this last Particular I may seem to misrepresent the Doctor,
 who may be thought to have determined the Point absolutely on
 the side of this Government, when the People have not only sub-
 mitted to it, but the late King's Power is broken, and there is no pro-
 spect of his helping his Friends. In such case, he says, *If it be visible*
that the dispossessed Prince can never recover his Throne again, Page 18.
but by making a new Conquest of the Nation by Foreigners,
who will be our Masters if they conquer, and no gentle ones neither. We
may then look upon the new Prince, as advanced and settled by God in his
Throne: and therefore such a King as we owe an entire Obedience and Al-
legiance to.

1. But if we observe what he says, upon the Enquiry by what
 means the dispossessed Prince shall recover his Right; it will ap-
pear

pear, that he lays the Subject under no higher Obligation to the Prince in Possession, than not to assist the other; but I do not find that he thinks they are bound to defend the Possession, though they have sworn Allegiance, which implies a legal Defence according to their Abilities: so that if he speaks out, he will not yield *entire Obedience and Allegiance* to be due: all Men, he says, are not bound to *lift themselves Soldiers*; and though he allows the *Militia*, and *Posse Com.* to be a *legal De-*

Page 31. *fence*, he no where says, that Men are bound to act in it, against their *legal King*, as he supposes the dispossessed Prince to be: so that Men only run the hazard of the Penalty, if Providence should still keep on the side of the Possessor. Nay, upon his Principles, if it be safe, Duty leads us to take part

Page 71. with his *legal King* out of Possession. Whether a Commission granted by such a King be a *legal Commission*, he makes such a nice point in Law as he is not *Lawyer enough* to decide; but if we go to him as a *Divine*, he will tell us, the Case of Ref. *Sovereign Power is inseparable from his Person*; and tho pag. 200. the Commission be not *legal* in form, it has the *Authority of Sovereign Power*.

2. I do not find that he allows the Prince who is in Possession to defend God's Authority against the suppos'd *legal Right*, and neither Prince nor People may defend the Kingdom against the *legal King* and foreign Forces.

3. If the Doctor thinks the Rights of the Church, or of the Monarchy injured, in either of these Cases he seems to encourage the Subjects to resist *God's Authority*. In the late Times of Rebellion and Usurpation, he says, *all the Friends of Monarchy, and of the English Government, and of the Liberties of their Country, and of their own Honors and Fortunes, were bound in Interest to take all Opportunities to restore the late King.* The Church he owns is provided for now.

Page 50. Page 47. But he says if it be well considered, the Defence of Monarchy and the Rights and Prerogatives thereof, will appear a very material part of the Oath; which may bind Subjects when the Person of the King is changed, and may make them think themselves more obliged to restore such a Prince, when they cannot restore Monarchy and the ancient Laws and Government of the Nation without him.

God's Authority it seems in these Respects is suspended under God's King or other Minister: if he but allowed the same under Man's, his *legal King*, I fear it would set aside his Doctrine of *Passive*

five Obedience, when the Constitution is violated: as (according to his Notion of the Rights of Sovereignty, that is, of the Person of the King) it is greatly by the Bill of Rights, nor is it likely to be restor'd but with the late King, to whom they had ascrib'd it.

4. The danger from the Foreign Invasion he may answer in the same way as he does the danger of the *legal Prince's* losing *his Right* for ever, if not assist'd by his old Subjects; viz. *This may be called a difficulty in Providence, but no difficulty to the Subject, if he pursue his Duty*; that is, if according to his Rule, he cautiously wait upon the Motions, or rather Events, of *Providence*.

5. If the Doctor will in such a Case yield as entire Obedience to the *King of Providence*, as he did to the *legal King*, he has as I shall shew, learn'd this from Principles directly contrary to the Doctrine of *Passive Obedience* and *Non resistance*; the Professors of which, as himself tells them, *do not think it a sufficient Confutation of their Doctrine to say, that this puts it into the King's Power to invade the Laws and Liberties, the Lives and Fortunes of his Subjects at pleasure.* *Vid. infra at large.*
Page 34.

Perhaps he was not aware that herein he expos'd his own Doctrine as well as his old Friends; for he admits a possibility for a Prince in a limited Monarchy *to govern arbitrarily, and to trample upon all Laws*; and yet will allow no Remedy but Patience. *Non-Resist. pag. 209.*

In the Time of *Charles II.* when this slavish Doctrine had prepar'd Men for Submission to Tyranny and Popery, of which the Discovery of the Plot, and Management of that Discovery, gave an immediate prospect; the Doctor's business was to allay Mens Fears, and *cramp* their Endeavours to secure the Religion and Laws; upon these dazzling Assurances: *Vid. Pref. Liberty of Thinking cramped.*

1. Though we might be ruin'd, and Violence might overwhelm this Generation; yet the Constitution might revive in future Ages, till the breach of it were settled by a Law: *The Prince cannot make or repeal a Law without the Consent of the People*: you may be sure when the People are made Slaves they will be very loth to part with their Liberty! *Case of Resist. p. 209, 210.*

2. The Prince would offer *constant Violence to himself*: especially if he were a Papist, it would grieve him to the Heart to overthrow the Protestant Religion by *Law established*.

3. Subjects are not bound to assist him in his *Usurpations*: he must work without Tools; the Age is so virtuous that none could be found.

4. It would be dangerous for Subjects to serve him *contrary to Law*; because, if the Law should have its course again, they might be punished.

5. If we believe him, all our Historians scandalize King *John* and *Ric. 2.* for, *in this long Succession of Princes in this Kingdom, there has been no Prince that has cast off the Authority of Laws, and usurp'd an absolute and arbitrary Power.* Even King *James* you must understand exercis'd the Rights of Sovereignty when he dispens'd with the Laws, and might have done it safely, had he not violated the Rights of the Church. That the Doctor then impos'd vain Assurances, himself is now convinc'd, and admits his bare possibility to have been reduc'd to act; but still he would have the whole *Difficulty* left upon Providence, and that Men should *stand still and see the Salvation of the Lord.*

Besides what has already been observ'd, these Consequences are obvious from his unretracted Doctrine.

1. That all *Kings* are absolute, and have Authority from God to trample upon our Religion, Liberties, and Laws, at their sovereign Will and Pleasure.

2. That all who joyn'd in Arms with King *William* before the *Abdication*, resisted the *Ordinance of God*, and without Repentance shall receive *Damnation.*

3. That King *James* has still a *legal Right* to the Crown: and therein, one would think to our Obedience.

4. That he may use Arms to recover that Right which the Doctor ascribes to him. But how the Subjects, and this King *himself*, are in this Case *cramp'd* by him, has appear'd before.

5. That they who fought against the late King in *Ireland*, fought against their *rightful King* before Providence had declared God's Will.

6. That the Doctor's Justification of himself for refusing the Oath of Allegiance so long, and taking it at last, amounts to this; that, agreeably to what he had before taught from Pulpit and Press, he held that Allegiance ought not to be paid to Usurpers: but having met with Bishop *Overall's Convocation-Book*, which teaches that Usurpers are to be obeyed, when settled in the Power; his own Reason took its rise from that Authority, to satisfy him that Allegiance is due to Usurpers, tho the others legal Right remains: and upon this Account he has taken the Oath to their Majesties. Wherein he retracts his suppos'd Error, that Usurpers are

not

not to be obeyed, but retains a real and pernicious one, That their Majesties are Usurpers. His declaring, That he is *far from intending to reflect upon the present Government*, is a *Pag. ult.* Protestation contrary to the plain Fact. Tho the Intention makes the Crime, the Law implies the Malice when the Fact cannot be excus'd.

The Doctor confesses there is no prospect of Securing the Church of England, and the Laws and Liberties of the Nation, by other means, than by this Government: Yet this *Pag. 50.* is so far from prevailing with him to renounce King James his Right; that notwithstanding his particular Obligation to the Mildness and Gentleness of this Government, and his urging the Obligation of Gratitude upon others, who will not Swear now he does: He publicly maintains those Principles, upon which it is impossible that the late King, while he Lives, should lose his Right, or their Majesties be other than Usurpers: and prefers the Vanity of asserting, That he never taught but one Error, to the Security of our Religion, Laws and Liberties. For which, it is to be presum'd, his Book will undergo a publick Censure: And the University of Oxford, which condemn'd your Book to the Fire, out of Loyalty, beyond Law; would make a due Atonement, if they offer'd *Pref. p. 1.* up the Doctor's Political Treatises to its injured *Pag. 39.* Manes. *Pref. p. 5.* *Case of Resist.* and *Case of Alleg.*

Sure I am, the Bishop of L——s Chaplain had no regard to his Master's Honour, and uncovered his Spiritual Father's Nakedness, when he Licens'd such palpable Reflections upon that Action of his, which was much more Commendable, and Glorious, than his Defence before the High Commission Court.

But besides those Observations, which may occur to any Body, upon the first running over Dr. Sherlock's Book; there are others, which may not be thought of, till things of the like Nature are sort'd together, and set in a proper Light: As,

First, That he would set aside the Consideration of Law, and Legal Right, as *Useless, Unfit and intricate*; yet shews himself under an Absolute Necessity of having recourse to it. 2. Takes upon him to explain it, but verifies his Censure of it, by his uncouth way of understanding it.

Secondly, That in the room of Law, he would set up *Scripture and Reason, without regard to Law*, but abuses *Scripture*, and perverts it, to the bringing God to Authorize Usurpation upon Princes,

and Tyranny or Usurpation upon Subjects; and makes Reason inconsistent with its self: but his Inconsistencies return so often, that I need not make any distinct Head of them.

Thirdly, That he would maintain his Old Doctrine of *Passive Obedience*, as far as he can, with colour, make it consistent with his present Actings; yet he effectually renounces it, and says, those things, which if he had pursued the thoughts with that Force which Nature has given him, would have brought him to a sound Judgment in this matter.

Fourthly, Would excuse his holding off from the Government, and his Behaviour, while he did; yet is Self-condemn'd.

Fifthly, Seems to make his court to the King, out of Possession, and to their present Majesties; yet neither did, nor does, by this Book, serve either; but quite the contrary.

First, He would have the Justification of the *right* Waved, as an unfit Dispute; and besides, *To judge of the Legality of the Revolution*, he says, *requires such perfect Skill in the Law and History, and the Constitution of the English Government, that few Men are capable of making so plain and certain a Judgment of it, as to be a clear and safe Rule of Conscience.*

It is to be observed, that here the question is not in relation to them who were to consider of their Duty before the *Revolution*; but what might satisfy their Consciences when it was settled; and when it might be look'd on as settled. And this very matter he himself thinks a plain case in our Law; he says, *the*

P. 59. c. 60. *Law it self, as well as the Principles of Reason and Religion, have annexed the Authority of Government to the Possession of the Throne:* And has no other colourable means of proving a Settled Possession, but by the Law of the Land; for he places it, under God, in the regular Consent and Submission of the People; and owns, that the Submission has been

Page 9.
Page 51. made by a Legal Representative of the People: That the Law only tells us, who is King; that he *has no Right*, that is, no Authority, *but by Law*: And that our Representatives in a *Convention*, at least in *Parliament*, are the Judges in whose Judgement we should acquiesce. And they, 'tis certain, have declared, that their Majesties are *Lawful and Rightful*

Vid. The Act
Settling the
Crown. And

that which declares the Acts of the First Parliament to be binding Laws.

Is not this a plain case, without troubling the Subjects with particular Controversies? But then he confounds this matter, which otherwise were plain, when he offers at the Law.

1. Tho the Statute 11 H. 7. shews that Legal Allegiance is due to the King in Possession, and that he is the Legal King: he will have it, that the Law does not deny *Page 65.*
the others Legal Right to the Crown.

2. Whereas the Lawyers say, and prove from History, Records and Law-books, that the Constitution of this Monarchy, is, as has been observed of the Jewish, Hereditary as to a Family, elective as to Persons. The Doctor will have it, that *the Lineal Heir has the Right to the Crown:* and yet that it is Hereditary, to any Person who gets a settled Possession; tho he be not of that Royal Family, which has, through Providence, either by Affinity, or Consanguinity, maintained the Possession for near 1000 years, as may easily be proved; and I hope may continue the Possession, till time shall be no more.

3. Whereas the Lawyers say, that our Monarchy is limited, and founded in Contract; that a King, who Acts without regard to the Fundamental Contract, is not a Legal King; and that the Natural Allegiance due to our Country, supercedes the Obligation of what otherwise was due to him: He will have the Law to allow a Legal Right to the Crown, unto him who is out of Possession, and lost it by the Just Judgment of God, for exercising an Authority which the Law condemns and rejects: And tho the Law in a limited Monarchy *sets Bounds to Sovereign Power;* yet that Scripture and Reason require our not Resisting a King, *when he Subverts the Laws and Liberties, and Legal Established Religion of the Kingdom, by Illegal Methods;* as if he had *Gods Authority* for all this: nor can they find a *Contradiction in the thing, that God should give a Prince Authority to govern according to Law;* and yet Subjects are at Liberty to resist, when the Bounds which God had set him are willfully transgressed. *Page 30.*
Page 30.
Case of Resistance, p. 119.

And if a Lawyer may be allowed to Reason upon this Point, he would say, if he may not be resisted, because he has *Gods Authority:* Because he has *Gods Authority,* he ought to be obeyed in every thing, not contrary to Gods Law. For it is certain the Sovereign Power, which is *Gods Authority,* is to be obeyed actively in all things within that Limitation. A Person may act beyond

it, but the Power never can : which shews a necessary Distinction between Persons in Power, and the Power which they have, or exercise, tho the Doctor allows of none ; and helps himself, by confounding and joyning what God separates ; which is as bad as separating what he has joyned.

Thirdly, That he would set up Scripture and Reason, without regard to Right or Law, appears from the very Scheme of Government, which he lays down in his first Section : The design of this Book, is particularly to prove it to be without regard to the Right of the Government ; leaving the question of Law in great measure to his Case of Resistance, the chief design of which, was to shew that the Scripture requires Obedience to the Prince that has Right by Law, without regard to any other Law, but that which settles his Title : This was a giving up the Cause, as to what he would enforce from the 13th. to the *Romans* ; for tho he had then asserted, that that Chapter and the whole Scripture, where ever it speaks of *Higher Powers*, always means the *Authority of a Person, not of a Law* : To serve his turn then,

Case of Resistance,
P. 113.

he would allow no Man to be *Gods Ordinance* in an *Hereditary Monarchy*, but the next Heir in the Line : in Consequence of which, the Scripture speaks of no *Higher Power*, but what is Legal. This point he is forced to give up, as to the next Heir ; and yet finds another Heir, according to his fancied Law of the Monarchy ; but in the main, keeps to his Fundamental Error, that the Scripture means, Persons and not Laws, where it speaks of *Higher Powers* : Nay, and must be of Persons alone, without regard to Laws ; for otherwise the Scripture affords no proof, that God ever sets up Persons without regard to Laws, and makes them his *Ordinance*.

Now the Doctor, all along supposing, that their Majesties did not come to the Crown, according to the Law of the Government, finds it convenient, that the Scripture should be held to have no regard to the Law, which shews who have right to govern : and yet even in that respect it is evident, that he must own the 13th. to the *Romans* ; not to speak of Persons, barely as invested with Natural Power, that is Force ; but Moral, that is, Legal Power : for he will not yield that the People, who have the most Natural Power, have in any case Right to Govern. It must therefore be meant, of Persons in Authority ; and none can be in Authority, but they that have Right to Govern : Which shews, that if the word *Summa*, may be applied indifferently, either

to

to *Natural or Moral Power* ; It must here be confin'd to *Moral*, notwithstanding all the *Doctor's* labour Page 19.
to the contrary.

Having Dispatched this Question, in relation to the Right to Govern ; it will be much more easie to silence all pretences, to inforce from that place of *Scripture*, a Right to Govern, by *Gods Authority, without regard to Law*. For it is evident, that he, who of himself assumes a Power, which no Law gave ; is not *Gods Ordinance*, or any *Power*, in that respect : And when the Constitution of a Government, had placed the *Power* in *King, Lords and Commons* ; that is *Gods Ordinance* : Whoever Invades that Share or Manner, in which it is enjoy'd by either ; acts not only *without*, but *against Gods Authority*. And it is evident, that where the King has not the *Power* so Absolutely in him, as to make *Laws* of his sole Authority, he is not the *Higher Power*, for whose Security our *Doctor* broach'd his *Non-Resisting Doctrine*.

*Modus habendi potestatem.
Vid. Grot.*

The *Doctor* may, by some, be thought to be for halving that *Doctrine*, and to have changed his half ; which before was to serve Tyranny, now for that which he counts an *Usurpation* upon the Tyrant. But indeed he now joyns both halves together ; for without that he sees it is impossible to make any thing for his turn, of the 13th to the *Romans* : for the one half must needs be excepted by the same reason that the other is.

If a Lay-man may attempt to explain the 13th to the *Romans*, these particulars may farther be observed upon it, in relation both to the *Right of Government*, and the *Law of the Government*.

1. That the word *Carthago*, which the *Apostle* uses where he requires Obedience, implies a Regular Subjection ; and determines the meaning of *Legis*, if otherwise doubtful, to regular, that is, Legal Authority.

2. The *Doctor* himself, owns, in effect, that Obedience is not due to the Person, but to his Authority : or at least, not to the Person alone, but for the sake of his Legal Power or Authority : that is, to, or for the Law, and not the Person alone : When the *Doctor* elsewhere says, it is to the *Person, and not the Law*.

But whether he does not admit the Law, to deserve a Place, let the World judge.

Pag. 54. To what particular Prince, says he, we must pay our Allegiance the Law of God does not tell us, but this we must learn from the Laws of the Land.

Case of Ref. pag. 191. Nay, tho sometimes he tells us the King's most illegal Acts have the Authority of Sovereign Power, at others he owns that his personal Commands have not; for if they had, they would justifie his Instruments who should act by such Authority against the Law: in which Case he confesses his Command will not excuse them: and tho he contends that all Kings settled in Possession have God's Authority, which in the nature of the thing cannot be limited by humane Laws, yet he says, when
Pag. 65. driven to it, that *the King has no Right but by Law, and the Law may determine how far his Right shall extend.*

3. It is to be considered, that tho it be for the Doctor's purpose to have it believ'd, that the Powers in being when the Apostle required Subjection, were not legal Powers; it is plain that they were, both as to the Right and Exercise of that Government, to which Subjection was required. Our Saviour, as himself says elsewhere, left
Case of All. pag. 30. Case of Ref. pag. 24. Sovereign Princes in the quiet Possession of what he found them possessed of.

4. When our Saviour and his Apostles gave Rules for Subjection, there was no Competition between Princes or Powers about Right, or Titles to the Government; wherefore, had it been usurp'd, or never so arbitrary and tyrannical, there was no choice but that, or Tyranny; Submission, or Confusion.

5. Whereas the Doctor, in Confirmation of his Sense of
Pag. 21. *Rom. xiii.* says, that the Romans themselves were great Usurpers,

1. This is not to the purpose in that place, the Epistle being to the Romans themselves.

2. If he means it in relation to the Jewish Christians, the Doctor will hardly prove the Roman Power over them an Usurpation: for this I would refer him to the Consideration of Herod's Will, and how far he submitted his and his Childrens Rights to
Vid. Joseph. the pleasure of Augustus Caesar.

The Doctor's next Attempt upon Scripture, to my thinking, is very bold; nor do I well know by what term I ought to call it, but shall fairly represent it.

Which is this, That the Scripture never speaks of the bare
Pag. 12. permission of any Events, but makes God the Author of all the Good

good or evil which happens either to private Persons or publick Societies, (he forefaw that the Objection to this is obvious,) have not then Pyrates and Robbers as good a Title to my Purse as an Usurper has to the Crown? This he answers by an Evasion, *The Dispute*, says he, is not about humane and legal Right in either Case, but about Authority. P. 34.

But it is plain, that it is between Humane and Divine Right; and tho I had humane Right on my side, the Robber has the Divine, in the Doctor's Sense, Providence having given it him: by consequence, tho the right Owner may endeavour to force it from him, as he who is dispossest of his Throne may, if we believe the Doctor, fight against the Possessor; yet against all other Men but the Owner, the Robber would have a Right. If the Heirs or Executors of the Party have a Right, by the same reason would Heirs or Assigns of a dispossest Prince: and if it be lawful for a Prince who came to Possession by undue means, to defend his Possession after it had been settled; upon the Doctor's way of arguing, so would it be lawful for the Robber. But the Doctor, in not having determined that a Prince may defend a wrongful Possession, leaves that matter as doubtful for the Robber. Thus he makes Robberies and Usurpations, which indeed are but greater Robberies, to be authorized by God Almighty.

But says the Doctor, *The Scripture is exprefs, That Kingdoms are disposed by God*; some no doubt have been by an evident Manifestation of God's Will; and then I hope he will not say it is an Usurpation, no more than it was Robbery in the Israelites to spoil the Egyptians. But if the Doctor will say, that God directly gives it to an Usurper, 1. it argues that God's Gift cannot give a Right; for if he did, it would cease to be an Usurpation. 2. He who came by undue means to a Throne, may have so acted as to obtain God's Favour, and God may give him an Establishment, tho he did not give the Throne; and therefore God did not authorize the Usurpation, which was the Man's Sin. 3. However, publick Good may require his Establishment. 4. If the Scripture be not so taken as to discharge God from authorizing the Sin in the Usurper; by the same Rule we shall be bound to believe, that he authorizes private Robberies, and the dispossesting Men by Wrong; for the Scripture says, *God hath made of one blood all Nations of men for to dwell on all the face of the Earth, and hath determined the times before appointed, and the bounds of their Habitations*: according to which, in such a literal Sense as the Doctor puts upon Texts relating to the Changes of Govern-
D ments,

ments, God has appointed those very bounds which an ill man gets by Violence, or an unjust Neighbour by a false *Land mark*.

Upon the whole, tho God permits the Sins of Men, his Authority gives no Sanction to them, but it does to humane Laws; and when Necessity, for the good of Communities, sets aside particular Provisions made for that end, God authorizes that Act declaratory of the *Supream Law*. The general Rule of Scripture, if a *Layman* may say so, in relation to the Duty both of Prince and People, is, to *seek Peace and ensue it*. Whoever therefore, after a Government is once settled by the Submission of a People, and the main ends of Government are preserved; be it the ejected Prince or other, shall attempt to break the Peace, and deprive Communities of those Comforts which God in great mercy gives them; he sins against God's Establishment: for, as the Doctor says upon another Account, the *Preservation of humane Society will justify what it makes necessary*.

Dean Hicks I must needs think is in this particular more Orthodox than our Doctor; but the Dean had learnt his Orthodoxy from the Lawyer *Fortescue*, who has these memorable Words.

All Laws published by Men have also their Authority from God, for as the Apostle saith, all Power is from the Lord God; wherefore, the Laws that are made by Men which thereunto have receiv'd Power from the Lord, are also ordained of God. This the Dean receives, and improves his way, having suppos'd that he had shewn by our Law, that the King is irresistible in all Cases.

If, says he, *all Laws of Men be the Laws and Ordinances of God, then I suppose the Common and Statute Laws of every Empire, which absolutely forbid the Subject to resist the Sovereign, are so too.*

If our Doctor had attended to this Passage, in the most plausible Book that ever was written, for Passive Obedience to absolute or Imperial Power, superiour to the Political; the Doctor might have avoided many Inconveniences which he has run himself into.

1. He need not have contradicted himself, sometimes making every King to have Authority from God, without regard to *Right or Law*; at other times, that the Law must teach who is King, and what his Authority.

2. If he had suppos'd God to have given the Sanction to Laws, but not to Usurpations, he would not have charged God foolishly.

3. He would never have put God Almighty to the Necessity of a Miracle, to justify the Instruments in freeing Oppressed Nations, if

if he would have allowed Men, in many Cases, to have been the first Agents, or at least to have cooperated with God, without sin: as if so good an end as the Preservation of Religion, and the fundamental Laws of Societies, were never to be accomplished by good means! But in making God always the first Agent, and to act alone, in the disposition of Kingdoms, he makes him too much the Author of those Sins, which Men may commit in some Changes. And yet this serves the Doctor better than the yielding, that God has in any Case lodg'd any Power in *Communities*, and that they may dispose of it as they shall think fit; for if they could, he owns it would imply a Trust, and would render Kings accountable to them for notorious Violations. Indeed, when he is not aware of this Consequence, he grants, that *God sometimes leaves a free People to chuse their own King.* And therefore, *Pag. 13.* unless there can be no limited Monarchy, but God has ascertain'd the Rights of all Kings as such; by his own Confession, elective Kings are accountable: but that would justify the Revolution, if this Monarchy should prove in any Sense elective; and be sure the Doctor will keep off from that, till the King of *France* is less formidable.

4. He might have spar'd his Objections, or rather *Pag. 24.* Sir Robert Filmer's, against the force of the Choice and *Consent of the People*, to make a Prince, or indeed any Laws; for if God gives the Sanction and Authority to such Consent as is agreeable to his Word, and that natural Law which he has given all Mankind, with regard to the Constitutions of respective Governments; then there is no force in the Objection that the Majority cannot conclude the rest, nor our Ancestors by their Consent bind us. And observe how little the Doctor attended to the Consequences of this Objection.

1. If the Majority cannot conclude the rest, how can the Submission of the People make a Settlement? and yet he owns that it does.

2. If our Ancestors could not bind us, how comes that Agreement which he supposes to have made this an *Hereditary Monarchy*, to leave a *Legal Right* to one, against the present Interest and consent of the Nation?

3. How can our Submission to their present Majesties bind our Successors?

And would not his Notions effectually unhinge all Governments?

Thirdly, But if the Doctor had pursued, as he ought, those true Principles, which he sometimes falls upon unawares; he would have given the World more Satisfaction of his *Sincerity*, and would not, by *Halting between two Opinions*, leave it as a Doubt, what is his real Judgment.

I hope he will not say I misrepresent him, when I draw from his own Concessions, such a Scheme of Government, contrary to his Doctrine of *Passive Obedience*, as will, with great clearness, prove their Majesties to be Lawful and Rightful King and Queen.

Hitherto you have been entertained with a Melancholly Scene of a poor injured Prince; who for the Exercise of a *Power* which God had given him, was, according to the Scope of the Doctor's Book, and of those Canons which converted him to this Government, thrust from his Throne by a Fortunate *Usurper*, and Rebellious Subjects; and Providence was put to great *Difficulties* to assert his Right.

But now another Scene opens, that King for whom the Doctor bespoke your Service (and for the sake of whose Right he would have it thought a Duty in all, like himself, not to be *Page 16.* *hasty and forward in their Compliances* with Gods Providence, upon a single Decision; least they should help to give Advantages against the Right) is fled out of another Kingdom; and has but one more to try his Fate in; so that there is two to one on the side of the Possessor. Now therefore he who had the Right, has justly *Forfeited*. And the Supreme Law, the publick Good, warranted a Revolt from him; and meeting our *Deliverer* as a Blessing from Heaven.

All this may be little expected from the Doctor, but tho it may *startle* and surprize you, *I shall prove it,* and shew from him.

1. That our Monarchy is limited, and the King has no Authority but what the Law allows him, *Page 30.* which sets Bounds to *Sovereign Power*: As I before *Page 65.* observed, he owns that *the King has no Right, but by Law, and the Law may determine how far his Right shall extend.* And thus Man's Law limits Gods Authority. This is more than he would own expressly, that I can find in the time of C. 2. but even then he admitted, that he *who Governs* by *Arbitrary Will, is a Tyrant, and no King*: Yet he then left it to his pleasure, whether he, whom he calls the *Law*

Case of Re-
sist. p. 197.

Law-maker, would Govern by Laws or Sovereign Will. *Case of Re-*
 This was suitable to the use he then had for the 13th. *list. p. 196.*
 to the Romans; but now it serves only to countenance,
 what he will have, an Usurpation. And yet it will be a question,
 how he can be an Usurper, who, as the Doctor confesses,
 as he is King, receives his Right from Law, having
 no Right, but by Law. And what he says, in another respect, *Page 47.*
as far as he quits his Government, he quits
 the Allegiance of the Subjects, might be easily improved here.

2. That if Kings receive their Authority from Men,
 and Humane Laws; their Power is a trust, of which they *Page 36.*
 must give an account to those who intrusted them, &c.
 tho no express Provision were made in the Law, to call them to ac-
 count.

3. That King James notoriously violated the Sub-
 jects Rights, and broke the Constitution upon which him- *page 27.*
 self stood, and struck at the Dearest things, their Religion
 established by Law, and their Properties; is almost as plainly signi-
 fied by him, as if he had named the Man.

4. He is express in relation to the late Revolution,
 that a Prince Forfeits the Affections and Legal Defence of *Page 30.*
 his Subjects, by the Exercise of an Illegal and Arbitrary
 Power. Where 1. he owns a Forfeiture: And 2. of what is essen-
 tial to the Sovereignty, that, Love or Filial Duty to Princes,
 which our Clergy tell us, is required under the Honour due to Pa-
 rents. 3. A Legal Defence is certainly due by Law, to a King as
 such; and therefore when that Defence is no more a duty, Alle-
 giance ceases; especially the Subjects having Sworn to this: And
 if the Oaths, taken to the Prince are discharged, as to any part,
 by a Forfeiture; it will be difficult to shew, why that Forfeiture
 ought not to extend to the whole.

5. He as good as yields, that the late King Absolved
 the Subjects from their Allegiance to him. Speaking *Page 48.*
 of the late King, and his People; and their chief
 Interests, in comparison with former times; which he would
 make greatly to differ from the present.

The bold steps, says he, and extraordinary Methods he had taken,
 gave them great Apprehensions, that all these were in danger; even the
 Rights and Prerogatives of the Crown it self (the Prelevation of
 which, was a main end of the Oath of Allegiance) by his Sub-
 mission to the See of Rome, and rejecting the Oath of Supremacy; and

as far as he could, absolving his Subjects from it. Add to this, what he said elsewhere, *The Defence of Monarchy, and the Rights and Prerogatives of the Crown, will appear a very material part of the Oath of Allegiance.* It must be considered, that all which he makes requisite, for transferring the *Legal Right of Government*, to an Usurper who obtains a settled Possession, is the Submission, or Consent, of a *Legal Prince*. Since, therefore, the *Prince*, in this, consented, as far as he could to divest himself of his *Supremacy*; which, I hope, he will say, is essential to his *Sovereignty*; it may seem, that his *Sovereignty* may as well be transferred, to the *People*, as to any *Prince*, being the *Doctor*, and the *Convocation*, have no Scruples upon the *Degeneracy* of the Form of Government: And therefore our Parliament justly affirmed the *Power* to have been devolved upon the *People*, when they ordered *Indictments* for Offences, during the Vacancy, to be

The Act about the Law proceedings.

laid *Contra pacem Regni.*

He grants farther, That the *Safety of the People*, is the *Supream Law*: That it will be hard to convince any considering Men, that that which is necessary to preserve a Nation, is a Sin. This indeed he applies to Submitting to an Usurper. But the reason of it goes farther: He admits, That we have no Direction in Scripture, at all, about making or unmaking Kings. To which I may apply, what he brings to another purpose: That when we are to learn our Duty, not from any express Law of God, or Nature; but from the Reason and Nature of things: It is a sufficient Argument, that it is not my Duty, which will expose me to great Sufferings, without serving any good end; nay, which exposes me to Sufferings, for contradicting the natural End and Intension of my Duty. And soon after he admits, That Men were not made for Princes, to be their Slaves and Properties; but Princes were made for the Government of Men. That necessity of Preservation may absolve Subjects from their Oaths to their Prince. And that the Preservation of Humane Societies, is the ultimate end of Government, and will justify what it makes necessary. Farther yet, and more particular, I do not think, says he, the Right and Interest of any Prince, so considerable as the Safety and Preservation of a Nation, and the Lives and Fortunes of all his Subjects.

page 42.

page 40; 41.

page 33.

I shall not enquire, how far this agrees with his Assertion, That a *Limited Monarchy* was not as irre-
 sistent as the most *Absolute*; the most *Absolute and Despotick* *Page 2. An*
Government, is more for the *Publick Good*, than a *Limited* *Oath to fight*
Monarchy. But certain it is, had the *Doctor* taken as much time, *for the King,*
 to consider the direct Consequences of these Noble Truths, for
 justifying the Shakeing off a Tyrannical Power, *Usurp'd* over the
 Subjects, as he did; for bringing himself to submit to what he will
 have to be an *Usurpation* upon a *Legal Prince*; he could not but
 have seen, that they who contributed towards this *Revolution*,
 discharged their Duty to God and their Country, much better
 than they; who were *Unnatural* to their Country, in
 adhering to the Interest of one, whom the *Doctor* *Page 2. An*
 describes as a *Tyrant*, and *Unnatural Lord*. *Oath to fight*
does not oblige us to Fight against our Country; which is as Unnatural as to Fight
against our King.

Besides the former Particulars, which in Justifying the *Revo-*
lution, prove their Majesties to have been *Rightfully* declared
King and Queen; tho the *Doctor* will have the *Dispossessed*
Prince to remain *Legal King*, and to have Right to the *Govern-*
ment, the *Doctor* shews their Majesties Right to be *Legal*, now
 they are settled. He affirms, that *[the Law it self]* *Page 59.*
as well as the Principles of Reason and Religion, have an-
 nexed the *Authority of Government* to the *Possession of the*
Throne; that no *Authority*, but the *States of the Realm*, *Page 52, 53.*
can take Cognizance of the Titles and Claims of Princes;
and the disposal of the Crown; that private *Subjects* ought to submit
 to their *Determination*; that no *Law* binds us to *disown a King*,
whom the Estates have owned: That such a *Possessor*
 is a *True and Rightful King*; and has the *True and* *Page 14.*
Rightful Authority of King: Surely then he is a *Legal*
King: and less *Subtle Wits* would not free themselves from a
Contradiction, in saying, that the *Rival* is the *Legal King*
 still.

He has a doubtful Passage, where he may seem positively to de-
 ny that the ejected Prince continues a *legal Prince*: he admits
 that he and his Friends have been in a *Mistake*, but whether in
 relation to the *legal Prince*, or the nature of the *Allegiance* due to
 him, you may take which you please; *There is nothing*, says
 he, *to prejudice any Man against the present Government*, or to *Page 50.*
 make

make the Restoration of the dispossessed Prince necessary, but a mistaken Notion of Allegiance to that Prince, whom we suppose to have the legal Right tho he be dispossessed, and another established in his Throne; which I have already prov'd to be a Mistake.

It was necessary for him to leave this with two Handles, left what he has driven at all along should be taken for his positive Assertion, that he and his Party *suppose*, that 'tis believ'd, That the late King has the Right still, and this King is an *Usurper*. Yet I take the genuine Sense to be thus; " We have had mistaken Notions of the " Allegiance due to King *James*, whom we suppose to have the legal Right.

But however, he, as I before observ'd, admits that in
Pag. 13. some Cases God may leave a free People to choose their own

Pag. 50. King; says withal, That the late King in *some sense* left his Throne vacant, and yields what infers it absolutely. In which he shews the Submission of the People to Their Majesties to be full and legal, and that the Law of the Monarchy is preserved: and one would think this should make them *legal and rightful King and Queen*.

And yet this may be prov'd more evidently out of the Doctor's own Concessions upon the Submission of the People: Himself makes nothing wanting but the Submission or Consent of the legal King, to transfer a legal Right to the Possessor. He says indeed it is nonsense
Pag. 59. to suppose the Consent of the King *de jure*: but if the Law shews that he consented, I hope it is good Sense and Reason to say that he has consented: nor must the Doctor cavil if he yields such Law to be in force.

He tells us, the Stat. 11 Hen. 7. which says in the *Preamble*, That Subjects shall be obliged to pay Allegiance to the
Pag. 62. King for the time being, is an authoritative Declaration of the
Pag. 63. Law; and himself shews, That this has been admitted for
Pag. 53. Law in the Reigns of legal and rightful Kings.

He must farther yield, when press'd to it, that King *James* has directly consented to that Law, and that as much as if it had been particularly recited to him; not only in accepting the Government under the legal Limitation, but in swearing to maintain the Laws in general, and to suffer them to have their course. If then this be the Law, he has submitted and consented to it; and his leaving the Government was as good as a recommending the Execution of it to his People.

And

And if he has consented that they should pay their Allegiance, where they should make their Choice and *Submission*; it follows, that he has consented to the Translation of that legal Right to their Allegiance which he once had: But that which legally transfers the Allegiance of the Subject, must transfer the Right of the King; and he who has no Right to their Allegiance, has no Right to be their King.

I hope when the Doctor has consider'd this matter, he will say that the late King has no manner of Right; and that their Majesties are our only *Lawful* and *Rightful* Sovereigns.

Fourthly, His Excuse for holding so long off, and Account of his Behaviour while he did, is very lame and unsatisfactory.

I. It manifestly appears, that he held off, and came in, upon the same Principles; and it may seem very strange, that a Man should be so long in understanding what necessarily flows from his own Doctrine: what he now retracts, is evidently contrary to his own Sense of the *13th* to the *Romans*, Preached and Published six Years since; and if a Jewish Example made him then bring in an Exception to his Rule, he might have had as full an Example to set aside the Exception, in the Case of *Rehoboam*; who, for slighting that Constitution by which he was to govern, was adjudged, by God himself, to have forfeited his Right, and particularly commanded not to claim it by Arms. The Government established upon that Revolt was more plainly *God's Ordinance*, than the Doctor's Usurpers and Tyrants. Wherefore, for all the Jewish Presidents, he might have kept throughout to his own Interpretation of the Text, and have believ'd that it made Usurpation as well as Tyranny, God's Ordinance; especially since it is evident, that the Text relates to both, or neither.

Obj. Indeed I meet with an Objection to this in both his Treatises of Government; viz. That only the Kingdom of *Judab* had been entail'd on *David's* Posterity, *Case of Resist.* and that nothing could justify an Usurpation against his P. 131.
Posterity within that Kingdom, tho it might be justifiable as to that of *Israel*: but in truth, the Doctor *Case of Allp* 35.
here comes to his Rule from Success; they kept *Judab*, but lost *Israel*, which had been included within the first Settlement. *God Almighty*, by his Prophet, told *Solomon*, *If 1 Kings,*
you will keep my Statutes, and my Judgments, then I will 9. 4. 5.
establish the Throne of thy Kingdom upon Israel for ever; as I
promised to David thy Father, saying, There shall not fail thee a man up-

on the Throne of Israel. And it appears by two Texts mentioning what had been promised to *David*, that it was without any Condition expressed; yet it seems Subject to the Limitation, or Law of that Government, which was appointed to take place when they should set a King over them. Yet you must understand, that what *Samuel* foretold would be the Manner of the King, must, with the Doctor, needs have been their Right: and then God's Severity to *Rehoboam* could not so well be accounted for.

God had acquainted *Jeroboam* who was chosen in the stead of the Descendant from *David*, with his purpose to give him Ten Tribes, and to leave one to *Rehoboam*: but this was but a Prophecy of the Event, no Promise made to *Rehoboam* that he should keep *Judah*: and as to the Revolution, did but foretell what God would bring about by a free Election of the People, in which *Rehoboam* was wholly passive.

I must confess, it is not unsuitable to the Doctor's Hypothesis, to make every Prophecy of an Event to confer a Right; which would excuse them who were necessary to our Saviour's Sufferings; which were not only foretold, but as the Words may seem to import, inflicted by God's Command, in that of the Prophet

Zach. 13. 7. *Zachariah*, Smite the Shepherd; which our Saviour shews to have been meant in relation to his own Suffering.

Mat. 26. 31. But the Case of *Rehoboam*, if the Doctor had taken the pains to compare the Texts of Scripture, might have had more weight to bring him in to this Government at the beginning, than the Case of *Joash*, which himself answers, could to keep him off: especially since that Case was an Exception to his Sense of the 13th to the *Romans*, which he thought meant of the Authority of Persons, without Limitation to Law; and with the very same way of Reasoning he must needs have concluded meant of Persons in Authority, without regard to Right: which he now lays down for a Principle.

II. He pretends in taking the Oath now, to submit to the venerable Authority of a Convocation. But,

1. The Presumption is very strong that he had seen Bishop *Overal's* Book some Months before he had forfeited his Preferments; but King *James* was then powerful in *Ireland*, Presbytery not fully settled in *Scotland*, and the Church-Rebels there were in a Body, and in daily Expectation of Aid from *France* and *Ireland*; but it is to be hop'd that no Man here had Expectations from either.

2. He pretends to submit to the Authority of the Church, that is,

is, *Churchmen*, or rather some one leading Man like himself, who dictated and gave Laws to the rest: but 'tis plain, he follows only his own head-strong Reason, which has rarely been *cramp'd with the Apprehensions of Novelty and Singularity.* Pref. p. 15.

The Church says, *The Pharisees, in refusing to bind their Allegiance and Faith to Cæsar by an Oath, did thereby shew themselves traiterously affected towards him.* Case of Alleg. pag. 7.

The Doctor brings himself as an Exception to this Rule; for he Prayed for their Majesties as put in Authority by God's Hand: yet would not Swear to it.

That founds the Authority of all Princes in the Patriarchal; the Doctor makes this as obscure and uncertain as he renders our Law, both for the bounds of Kingdoms and * extent of Power, and sets up an Authority of God's immediate Gift, without limits. * Page 11.

That shews that the *Rump Parliament*, if ever settled, had God's Authority: he would seem not to admit this.

That makes it at least doubtful whether a Government can be settled while the *rightful Prince*, who once had Possession, lives: this he would evade.

Had not the Love of Tyranny been more deeply rooted with the Doctor, than his Aversion to Usurpation; the *venerable Authority of his Church*, I cannot say of the *Church of England*, might have satisfied him, that in some Cases it may be as lawful to resist the Person of a Tyrant, as to submit to an Usurper.

When the Thread of their *Canonical History*, drawn up out of Ethnick and Apocryphal Writings, brought to accompany the Sacred Scriptures, led them to the Story of the *Maccabees*; they say, That *Mattathias*, moved with the monstrous Cruelty and Tyranny of Antiochus, made open Resistance, and they assign a Reason, or rather Justification of this, viz. *The Government of that Tyrant not then being either generally received by Submission, or settled by Continuance*: which is a manifest Confession, that a Tyranny which neither we nor our Forefathers have consented or submitted to, is not God's Ordinance; but that limited Prince, who attempts to introduce it, may be resisted by force; till he is strong enough to compel a Submission to his most arbitrary Exercise of Power.

Overall's Convoc. p. 67.

pag. 30.
Himself says,
the Law has set
Bounds to So-
vereign Power.

The Sense of the Church, if we believe what the Doctor declared of it when time serv'd, is, that they who exercise their Ministry without such Qualifications as the Law requires, are guilty of *Schism*; and they who commu-

Vid. Sermons
of Church-
Communion.

nicate with them, communicate in a Schism: but the Doctor, after he was convinc'd that their Majesties had Power from God to make Laws in Parliament, did exercise his Ministry before he had qualified himself as the Law requires; which perhaps may drive him to a new Notion of *Schism*, and satisfy him that he has *Taught* one Error more than he has thought fit to recant.

III. By his own Confession, their *Majesties* were in full *Possession* of the *Throne*, and *Administration* of the *Government*, by a *National Submission*; as soon as the *Convention*, at least the following *Parliament*, had declared for them; and he grants that such *Consent* and *Submission* makes a *Settlement*.

According to this, he ought to have taken the Oaths, as soon as some *Mens* Hopes, in the *New Parliament*, were disappointed; and to have done it then, had not been such a *Forward Compliance* as he condemns.

The *Submission* of the People, and Determination of the *Estates* of the *Realm*, he owns to be conclusive to all *Private Subjects*; yet did not pay entire *Obedience and Allegiance*, even in his own Sense, till the late King had left *Ireland*; so that he seem'd to stay till he might see the *Power* of the *Dispossessed Prince* broken; which! i express words make material: And he, it seems, thought it doubtful, whether *Providence* had settled the *Possessor* in the *Throne*, while the other had a formidable *Army*. Upon which 'tis observable.

1. That this argues him to be more than a *Private Person*, or not to have been a *Subject*, till he Swore *Allegiance*.

2. If the *Power* be no more broken now, than it was at the beginning, that Argument fails.

3. If it were as much broken at the beginning, as now, that was not the Argument, but some more private Motive.

4. If that Argument cannot have full force now, himself, in holding out so long, and others of his opinion, in coming into this Government, with the same opinion, and retaining it; may be thought, in great measure, the occasion.

Tho *Providence* had made a *Settlement* early, it was prudent, not to venture too far on its side; and to see whether it was any more than a pattern or platform, to be pulled in pieces presently, as soon as *God Almighty* had taken a view of his *Handy work*.

Or rather, tho this was a *Settlement* which bound the *Laitie*, the *Clergy*, *Gods* peculiar *Lot* and *Inheritance*, had an *Exemption*; till himself had spoken to them by his *Church*. At least they ought to stay till they saw the *Church* of *England* secured; and that there was

no * prospect of securing it by any other means: then their Interest obliged them; to pretend to Loyalty with the forwardest: Shall they ungratefully reject this Blessing from Heaven! * Page 50.

While they keep up an Empire within an Empire, the Changes of Civil Government will not bind them, till they are subdued upon the Struggle, and by Providence condemned to Affairs truly Spiritual. Good God! How long shall Men be made Slaves, and the Peace and Settlement of Kingdoms, † Properties, to an equivocal Word! † P. 45.

When they have to deal with those of Rome, then in pious Condescension, and Christian Charity to *Vid. Dr. Sherlock, of the Unity of the Church, compared with his Sermons, and Tracts of Church-Communion, and Union with Christ Jesus.* themselves, the *Laitie* shall be called in to their Aid.

When a turn of theirs is to be serv'd or colour'd, then *Church-men* alone, without a King, are as good Authority as can be urged, to the *Members of the Church of England*. For the most part *Church men*, with a King at the Head of them, are the Supreme Authority, and Judges in all Controversies about Civil, as well as Ecclesiastical Matters; and neither can ascribe too much to the other, while they hold together: Sometimes *Constantine* and his *Arrians*, at other times he and the *Orthodox*, are the true Church: But *Orthodoxy*, like Civil Government, went along with the Power. page 10.

Tho the *right Faith*, like the Dispossessed *legal King*, may retain the *Right* still unaltered; yet Error carries on the Name of *Church*, as well as the other does that of *Government*; and ought to be submitted, subscribed, and sworn to, as long as it has Power to Crush the *Obstinate Refusers*.

Gods Authority, if not Infallibility, attends the *Chair*, when it stands guarded in Conjunction with the Throne; and no Man ought Saucy to Affront the Powers, by preaching up the *True Religion*, where a *False one* is settled. Nay, they ought to pray, that God would keep and strengthen the Power in that *False Worship*. And according to some *Mens Reasons*, Error in the Chair is more Gods Ordinance, than Truth out of it. All the Stories or Miracles wrought at the Tombs of Martyrs, must be look'd on as lying Legends; for who can think that God would give such publick Approbation to their Affronting his Ordinance and Authority!

Fifthly, It is probable the *Doctor* did not perform his Duty to the late King, upon his own Interpretation of Scripture and Providence, even before the Abdication: But that he did not after, is evident; for, while he not only thought him to have the

Right,

Right, as it is to be presum'd, he does still, but that God had set up no other Government; he did not use the means in his power, for the restoring him to full Possession: and preferred his own Safety to the Obligation of his Oath, to maintain and defend his *Right*; which whether *possible* or no, the

page 16.

event only could shew: but it is a safe Rule to run no Hazard. He still leaves him a Right to contend for his lost Crown; but sets up the Supream Law, *common Safety*, against that Sacred and unalterable Right.

I shall forbear to draw together, into full light, all those Instances, whereby it appears, that he is far from serving their Majesties: But in one respect he has not followed the Rules of Prudence, in relation to his own Interest.

How much soever *W. I.* might grasp at an *Absolute Power*, it is plain from History and Records, that he would not pretend to the Name of *Conqueror*, least he should create a Jealousie in his People. And had the *Clergy* of that Age, Flatter'd like others since, he would have certainly shewn Marks of his Displeasure; if it had been for no other reason, but that he might demonstrate to his People, that they ought to have no Apprehensions of losing their Rights and Liberties upon the Change. I shall run the Parallel no farther, than to say, That no Man can reasonably expect their Majesties Favour, who tells them, or the World, that they are invested with an *Absolute Power* of the Gift of God, *without regard to Right, without regard to Law.*

Arbitrary Power, tho it is a Plant which rises towards Heaven; as it pretends a Descent from thence; is not likely to over-top King *William's* Laurels.

It is a Contradiction to the end, and effect of his coming, an Enemy to his *Crown and Dignity*, a Friend and Creature of *France* and King *James*; Nursed up here for their Service. And as it gave Rise to that Power, with which its Chief Patron has plagued Mankind; its Teachers cannot but expect a Reward, or more easie Servitude than others, if he should accomplish that Universal Tyranny, for which it is calculated.

The *Doctor* affirms, with great Assurance, that

page 43. *his are the only Principles, which in such Revolutions, as he treats of, can make Government easie both to Prince and People. And, says he, if Government must be preserved in all Revolutions, those are the best Principles, which are most for the Ease and Safety of it: But,*

I. If the Government be limited, it is not for its *Ease and Safety*, that the Prince should be thought to have an Arbitrary Power of Gods Gift.

2. If

2. If the Person of the Prince be the Government ; it is not for his *Ease and Safety*, that no Laws, no *Submission of the People*, can engage his Subjects to this Prince, against a *supposed Legal King*.

3. It it much more easie to perswade Men to refer the Determination of *Legal Rights, to the Legal Authority of the Estates of the Realm*, which the Doctor owns to be conclusive ; than to satisfy them that they ought to Swear Allegiance to a King, while a *Legal Right* remains to his Rival. page 32.

4. How much soever Subjects may be harangued into a Neutrality, they who assist neither, are likely to be treated as Enemies, which side soever prevails.

But the Philosophy of *Hobbs*, or Divinity of the Graver *Stoicks*, agree neither with our Constitution, nor with Gods Methods, in governing the World.

If the first shut God out of the Government, the other brings a Deity upon the Stage, as Familiarly as Poets with their Fictions, or Players in their Machines. And it is observable, that tho God is made the Actor and Authorizer of the Event, he is render'd a *Non-assister* of either of these Kings, as well as the Subjects are ; Divine Right, and Divine Providence, poizing the Scales.

According to that of the Poet.

Victrix causa Diis placuit, sed victa Catoni.

Where the *Hero* has a more noble and generous Character than his Gods.

But that I may not only overthrow the Doctors *Startling Scheme* of Government, without advancing page 3. another, I conceive these Propositions may do more good in the World.

1. That Allegiance is a Legal Bond, or Tye, importing *Active*, as well as *Passive Obedience*, to Legal Authority.

2. That he to whom Allegiance is not due, is not *Legal King*, nor has Right so to be ; or ever can be, without a new *Submission* of the People, either of Free Choice, or by Constraint : unless it be by the visible Designation and Appointment of *God Almighty*.

3. That no Divine Law, or just Inference from thence, sets aside Humane Constitutions suitable to Christianity, and beneficial to Civil Societies.

4. That no Divine Interposition, or Act of God, which is not so visible as may satisfy all Men, before the Success, what is the Will of God ; can be said Authoritatively to alter or diminish Rights to Crowns, or the Liberties or Properties of Subjects.

5. That

5. That Humane Constitutions may be virtually Repeal'd or Suspended; when they cease to answer the main end, or Law, the good of the respective Societies.

6. That they who contributed towards our present Settlement, did what had been justifiable, tho they had fail'd of Success; the late King having long before ceased to be a *Legal King*.

7. That Their *Majesties* are our sole *Lawful* and *Rightful King* and *Queen*, according not only to the Supreme Law, the publick Good; but to the positive Laws and Constitutions of this Government, known and declared, as there has been occasion, in all Ages from the first Foundation of this *limited Monarchy*.

8. That they no more consult the Honor and Interest of their Majesties, than the common Safety; who now advance the old de-canted Doctrine of *Non-Resistance* and *Passive Obedience*, to a Power exercis'd without any regard to *legal Right*, or *humane Laws*.

Dr. Sherlock owns it, as it was taught by himself and Dean Hicks, to be a meer *Jacobite*. The Doctor now sets it forth in a new shape, with King *William's* Livery; but it's only a Picture in a Scene, which cannot stir to help in any Exigency. He makes it the Doctrine of Fate, which was taught by one Sect among the Heathens, and laugh'd at by all others. He, who has baptiz'd it by the *Christian Name* of *Providence*, can find no other *Godfather* to it but himself; yet is far from *promising and vowing in its Name*, that it shall manfully resist the Devil and all his Works, it is enough not to assist: If the Devil and his Agents get the better, their *Authority is God's Ordinance*; and it is no Sin to follow whither Fate draws.

But the Doctor has taken it from common Drudgery, and honorably confin'd it to the Government of States and Kingdoms: in private Robberies it gives not the Robber Authority over Persons, as it does to Usurpers; he has only Right to what it puts into his hand.

This Doctrine, which is always attendant upon Fate or Providence, is the Clergie's Writ of ease, the Prince's false Friend, and changeable Courtier; but profess'd Enemy to the rest of Mankind.

It serv'd the King-craft of *James I.* though he had not the Courage to give San-ction to those *Canons*, which would enforce it by *Spiritual Thunder*: prov'd Fatal to his Son; enabled the two Brothers to Revenge the Contempt of it; seem'd to ex-pire under the last; but gave dangerous Symptoms of Life and Vigor upon the Ab-dication.

Since this evil Spirit now haunts the Land again; it is a Task worthy of your Pen, to send it well whipped to the place from whence it came; and to ban it to its native Shades, that it may never rise in dark Clouds to blacken our Deliverance.

This the World expects from you, and is earnestly desired by, Sir,
Your Faithful Friend and Servant.

F I N I S.

Page 32. Line 7. Read, that is, believe.

This Book came into my hands Nov. 28. 1740. I have not had time to peruse it. Sent by Dr. Stoughton to Sam. Mather (Esq.) I am assured it is the best. The Book was sent yesterday (I am to London) I have not had time to peruse it. Sent by Dr. Stoughton to Sam. Mather (Esq.) I am assured it is the best.

